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## Third Committee

### Summary record of the 43rd meeting

Held at Headquarters, New York, on Wednesday, 14 November 2007, at 10 a.m.

*Chairman:* Mr. Wolfe ..... (Jamaica)

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*The meeting was called to order at 10.30 a.m.*

**Agenda item 42: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions** (*continued*) (A/C.3/62/L.67, L.82)

*Draft resolution A/C.3/62/L.67: Office of the United Nations High Commissioner for Refugees*

1. **Ms. Kiertzner** (Denmark) introduced the draft resolution on behalf of the Nordic countries (Denmark, Finland, Iceland, Sweden and Norway) and a large number of sponsors. The text reaffirmed the support of the General Assembly for the work of the Office of the United Nations High Commissioner for Refugees and reflected recent developments, including in the area of international protection.

2. Australia, the Central African Republic, Cyprus, Ethiopia, Ghana, Iraq, Montenegro, Morocco, Panama, Romania, Sierra Leone, The former Yugoslav Republic of Macedonia and Uruguay had joined the sponsors of the draft resolution.

3. **Mr. Khane** (Secretary of the Committee) said that Belarus, Belize, Botswana, Colombia, Guatemala, Guinea, Lesotho, Liberia, the Federated States of Micronesia, Moldova, Paraguay, the Sudan, Thailand, Togo, Turkey and Turkmenistan had also joined the sponsors.

*Draft resolution A/C.3/62/L.82: Assistance to refugees, returnees and displaced persons in Africa*

4. **Ms. Sulimani** (Sierra Leone), speaking on behalf of the African Group, proposed that action on the draft resolution should be postponed, as negotiations were still under way.

5. *It was so decided.*

**Agenda item 70: Promotion and protection of human rights** (*continued*)

(b) **Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms** (*continued*) (A/C.3/62/L.29, L.35, L.38, L.68-L.81)

*Draft resolution A/C.3/62/L.35: Combating defamation of religions*

6. **Mr. Amil** (Pakistan), speaking on behalf of the Organization of the Islamic Conference, introduced the draft resolution, which was based on relevant resolutions of the former Commission on Human Rights and the Human Rights Council. It also built on General Assembly resolution 61/164. Over history, different religions and their adherents had been targets of discrimination, violence and defamation. Today, it was Islam and its adherents that were targeted. Islamophobia had been extensively documented by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance as well as by other special mandate holders. Since 11 September 2001, the world had seen an increase in discrimination against Muslims, with the acts of a few persons professing to be Muslims causing more than 1 billion people to be tarred with the brush of terrorism. The objective of the draft resolution was to reverse that phenomenon and to protect other religions and beliefs from similar discrimination and defamation, which had devastating consequences both for the lives of individuals and for harmonious relations between communities and States.

7. **Mr. Khane** (Secretary of the Committee) noted that Belarus had joined the sponsors.

*Draft resolution A/C.3/62/L.38: Status of internally displaced persons and refugees from Abkhazia, Georgia*

8. **Mr. Alasania** (Georgia), introducing the draft resolution, said that people who had fled Abkhazia in the wake of the atrocities had, for more than 14 years, been denied their right to live in dignity, to return home and to own land and property. The time had come for the General Assembly to make an unequivocal statement on the issue in order to restore faith in the United Nations-led settlement process. The draft resolution would promote, not impede, that process.

*Draft resolution A/C.3/62/L.29: Moratorium on the use of the death penalty*

9. **The Chairman** drew attention to the proposed amendments to the draft resolution contained in documents A/C.3/62/L.68 to L.81.

10. **Mr. Attiya** (Egypt) introduced the amendments contained in documents A/C.3/62/L.68 and L.69, which would ensure respect for the sovereign right of States

to determine their own penalties in accordance with the Charter of the United Nations and article 6 of the International Covenant on Civil and Political Rights.

11. Bangladesh, Indonesia, Nauru, Tonga and Yemen had joined the sponsors of L.68, while Nauru, Tonga and Saudi Arabia had joined the sponsors of L.69.

12. **Mr. Menon** (Singapore) introduced a further amendment contained in document A/C.3/62/L.70. It was designed to redress the balance lacking in document A/C.3/62/L.29.

13. **Mr. Khane** (Secretary of the Committee) noted that Bangladesh, Nauru, Tonga and Mauritania had joined the sponsors of the amendment.

14. **Mr. Degia** (Barbados) introduced the amendment contained in document A/C.3/62/L.71, which sought to address one of the major shortcomings of draft resolution A/C.3/62/L.29, namely the incorrect assumption that the death penalty was prohibited in international law. It was only appropriate that some language from the International Covenant on Civil and Political Rights should be included.

15. Bangladesh, Nauru, the Syrian Arab Republic and Tonga had joined the sponsors.

16. **Mr. Degia** (Barbados), introducing the amendment contained in document A/C.3/62/L.72, said that the amendment sought to lend balance to the one-sided text contained in document A/C.3/62/L.29. The sponsors of the draft resolution, citing the Second Optional Protocol to the International Covenant on Civil and Political Rights, had conveyed the impression that all countries had an obligation to abolish the death penalty. Only States parties to the Protocol had an obligation to adhere to it.

17. **Mr. Menon** (Singapore) introduced the amendment contained in document A/C.3/62/L.73, which sought to correct the false impression that the work of the Commission on Human Rights had been unanimously supported and welcomed. As noted in the amendment, many States had disassociated themselves from past resolutions on the death penalty during the Commission's sessions.

18. **Ms. Akbar** (Antigua and Barbuda), introducing the amendment contained in document A/C.3/62/L.74, said that the Islamic Republic of Iran, Nauru, Tonga and the United Arab Emirates had joined the sponsors.

19. All States must consider their specific legal, social, economic and cultural conditions when reflecting on the application of a particular rule or standard. The sponsors respected the right of some countries to abolish the death penalty, and those countries should respect the right of others to uphold or abolish it based on each country's national imperatives and after broad-based internal consideration of the issue. She hoped that the amendment would be adopted without a vote.

20. **Mr. Hetanang** (Botswana), introducing the amendment contained in document A/C.3/62/L.75, said that Bangladesh, Trinidad and Tobago and the United Arab Emirates had joined the sponsors.

21. The proposed amendment was a statement of fact, as more than 100 Member States retained capital punishment in their national laws while only 90 Member States had abolished it. The amendment was not meant to present arguments for or against the establishment of a moratorium on the death penalty, but simply to put the issues raised in draft resolution L.29 in their proper context. It was regrettable that the main sponsors of draft resolution L.29 refused to allow an accurate reflection of the global situation as it pertained to the issue of the death penalty, believing that the only way to win the support of a majority of countries was to present overly inflated statistics skewed in their favour. Member States had different historical and political backgrounds that influenced the evolution of their respective constitutional jurisprudence. For that reason, the sponsors of the amendment contained in document A/C.3/62/L.75 respected those countries that had abolished the death penalty or placed a moratorium on its use. The amendment in question was meant to obtain recognition of countries that chose to retain the death penalty.

22. **Mr. Hetanang** (Botswana), introducing the amendment contained in document A/C.3/62/L.76, said that Trinidad and Tobago had joined the sponsors.

23. Capital punishment was permitted under international law provided that due process and proper judicial safeguards were observed. Therefore, it was not correct to say that the death penalty undermined human dignity and that a moratorium on the use of the death penalty contributed to the progressive development of human rights. The purpose of that statement, and of the entire resolution, was to pass

judgement on the manner in which sovereign countries ran their own Governments and to impose the positions adopted in some regions on everyone else. A properly balanced statement was needed, reflecting the different political, economic, social and cultural situations of the world, and the amendment sought to reflect that diversity.

24. **Ms. Booker** (Bahamas), introducing the amendment contained in document A/C.3/62/L.77, said that the Islamic Republic of Iran, Nauru and Tonga had joined the sponsors. A wide array of views on the issue of the death penalty had been heard, fuelled by media campaigns, public opinion and to some extent, political pressures. The sponsors of the amendment contained in document L.77 could not support a decision on an issue that did not enjoy international consensus. The proposed amendment was intended to strike a balance in the text of draft resolution L.29.

25. **Mr. Khane** (Secretary of the Committee) said that Zimbabwe had also joined the sponsors of the proposed amendment.

26. **Mr. Degia** (Barbados) introduced the amendment contained in document A/C.3/62/L.78 to 81. Introducing the amendment contained in document A/C.3/62/L.78, he said that the language used in operative paragraphs 2 and 2 (a) of draft resolution L.29 was unnecessarily strong and judgemental, implying that countries that retained the death penalty on their statutes did not respect standards and guidelines with regard to the use of the death penalty. A more enlightened approach would be to utilize conciliatory language.

27. Introducing the amendment contained in document A/C.3/62/L.79, he said the reasons for asking some Member States to provide information relating to the use of capital punishment and the eventual use to which such information would be put were unclear. In keeping with the notions of democracy, transparency and accountability that the United Nations represented, any such information should be made available to the public, whose interest Governments were supposed to serve and protect.

28. Introducing the amendment contained in document A/C.3/62/L.80, he said that paragraph 2 (c) was overly prescriptive and not in line with the type of language contained in the International Covenant on Civil and Political Rights. Such a departure from an

important international instrument would raise problems for States parties to that instrument.

29. Introducing the amendment contained in document A/C.3/62/L.81, he said that Nauru and Tonga had joined the sponsors. The amendment would replace paragraph 2 (d) of draft resolution L.29, which was unacceptable because it sought to impose a set of views on certain Member States. The proposed amendment was a much better attestation of what had been agreed to in a key instrument, the International Covenant on Civil and Political Rights.

30. **Mr. Khane** (Secretary of the Committee) said that Zimbabwe had also joined the sponsors of the proposed amendment.

#### **Agenda item 62: Social development** (*continued*)

##### **(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family** (*continued*) (A/C.3/62/L.5/Rev.1)

*Draft resolution A/C.3/62/L.5/Rev.1: Implementation of the World Programme of Action concerning Disabled Persons: realizing the Millennium Development Goals for persons with disabilities*

31. **The Chairman** said that draft resolution A/C.3/62/L.5/Rev.1 contained no programme budget implications.

32. **Mr. Hermoso** (Philippines), introducing draft resolution A/C.3/62/L.5/Rev.1, said that Belgium, China, the Czech Republic, Denmark, Finland, Greece, Luxembourg, Mauritius, the Netherlands, Peru, South Africa, the Sudan, Sweden and the Bolivarian Republic of Venezuela had joined the sponsors. The text focused on the needs of persons with disabilities and aimed to ensure that such persons were included in the global pursuit to achieve the Millennium Development Goals. The resolution called for the mainstreaming of the perspective of persons with disabilities in development processes, and it used the World Programme of Action concerning disabled persons as a guide to analyse and address effectively the situation of disabled persons. It also called upon the United Nations Secretariat to give higher priority to the concerns and issues of persons with disabilities and to include them in the work programme of the United Nations system. He noted that the word “education” should be added after the phrase “in particular free and compulsory primary” in

the third line of paragraph 6 (c). He recommended that the draft resolution, as a consensus text, should be adopted unanimously.

33. **Mr. Khane** (Secretary of the Committee) said that Albania, Algeria, Angola, Austria, Benin, Bosnia and Herzegovina, Bulgaria, the Central African Republic, Chile, Comoros, the Congo, Côte d'Ivoire, Croatia, Cyprus, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, France, Germany, Guatemala, Hungary, Iceland, Italy, Jamaica, Japan, Kenya, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Lithuania, Luxembourg, Malawi, Mali, Mauritania, Moldova, Monaco, Montenegro, Morocco, Mozambique, Nepal, Nigeria, Qatar, Romania, San Marino, Serbia, Sierra Leone, Slovakia, Slovenia, Thailand, the former Yugoslav Republic of Macedonia, Uganda and Ukraine had also joined the sponsors.

34. **Ms. Yarlett** (Australia) said that her delegation considered that protecting and promoting the rights of disabled persons was an important task of the United Nations. Australia had signed the Convention on the Rights of Persons with Disabilities on the day that it had opened for signature. It was currently engaged in the thorough process of consultation in the legislature that would lead to ratification.

35. *Draft resolution A/C.3/62/L.5/Rev.1, as orally revised, was adopted.*

#### **Agenda item 70: Human rights questions (continued)**

##### **(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (continued) (A/C.3/62/L.29 and L.68 to L.81)**

*Draft resolution A/C.3/62/L.29: Moratorium on the use of the death penalty*

36. **The Chairman** said that the draft resolution had no programme budget implications.

37. **Ms. Banzon-Abalos** (Philippines) said that the text of the draft resolution was the result of a comprehensive consultation process, which had been conducted in a transparent and cooperative manner. It had provided ample opportunity for the expression of views and concerns, while preserving the spirit of the initiative.

38. Throughout the process, the sponsors had made it clear that the focus of the draft resolution was a moratorium on the use of the death penalty. Abolition should be regarded as an eventual result of a step-by-step process. The text also began with an overarching reference to the Charter of the United Nations, which should be read and understood in its entirety; selective quotations would only weaken its significance as a whole. In the same spirit, general and non-selective references to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and other relevant international instruments had been included.

39. The aim of the draft resolution was not to interfere or impose views on others, nor did it aim to challenge national sovereignty, but to reinforce and encourage the growing trend towards a phasing-out of the death penalty.

40. In closing, she noted that Algeria, the Dominican Republic, El Salvador, Mauritius and Sao Tome and Principe had joined the sponsors of the draft resolution.

41. **Mr. Attiya** (Egypt) drew attention to editorial corrections in the Arabic version of the draft resolution.

42. **Mr. Amil** (Pakistan), speaking on behalf of the Organization of the Islamic Conference (OIC), said that it strongly believed that every human being had the inherent right to life. The sanctity of life was revered in Islam and in all other religions. It was the duty of States to protect that right by law, in accordance with the Universal Declaration of Human Rights and other relevant international instruments. The OIC acknowledged the decision of some States to exercise their sovereign right to apply a moratorium on the death penalty followed by its abolition. He reiterated that the death penalty was an issue for the criminal justice system. It was the responsibility of all States who retained the death penalty to see that it was applied pursuant to the judgement of a competent court according to due process of law and the application of all legal remedies.

43. The OIC recognized the lack of international consensus on the issue of the moratorium. The diverging legal and human rights arguments could be reconciled only through comprehensive negotiation and debate at the multilateral level.

44. **Ms. Akbar** (Antigua and Barbuda), speaking also on behalf of the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname and Trinidad and Tobago, said that Caribbean Member States were committed to the promotion and protection of all human rights and fundamental freedoms and to their international human rights obligations, having acceded to or ratified most of the major international human rights instruments. They had long been among the voices calling for support to efforts to reaffirm the universality, objectivity and non-selectivity of the consideration of all human rights, recognizing that the right to development underpinned the realization of all human rights. While they insisted on respect for their national constitutions and judicial systems, they continued their efforts to reconcile national legislative frameworks with the international legal instruments to which they were parties. They availed themselves of technical assistance to complete the related reporting requirements, but would focus scarce financial resources on their own human development agenda.

45. Caribbean Member States which maintained the death penalty had great difficulty with the tone and intent of draft resolution A/C.3/62/L.29. Article 6, paragraph 2, of the International Covenant on Civil and Political Rights addressed the situation of countries which had not abolished the death penalty, and permitted a sentence of death under very specific conditions. The countries she represented regretted any implication that they arbitrarily applied capital punishment for insignificant crimes and without regard for the human rights of the prosecuted. The death penalty was imposed only for cases of murder or treason, and in fact had not been carried out in those States for more than a decade. They equally regretted the unwillingness of many abolitionist countries to engage in productive discussion that could better address the very complex issue of crime prevention and root causes and how criminal activity undermined the fundamental human rights of citizens. There appeared to be scant interest in collaborating with Caribbean Member States to address not just the symptoms of criminal activity but their socio-economic stimuli.

46. The delegations she represented respected the right of countries to abolish the death penalty, but in turn, the sovereign decision to uphold or abolish the death penalty based on national imperatives should also be respected.

47. Notwithstanding their objections, those delegations remained ready to have a meaningful discussion on human rights in its wider context.

48. **Ms. Bowen** (Jamaica) said that for her delegation, the question of the death penalty fell within the domestic jurisdiction of each State, and it therefore challenged the basic premise of a draft resolution seeking to impose one perspective on the domestic jurisdictions of other States. Jamaica found the suggestion that the death penalty was contrary to international law entirely unconvincing. For instance, the Universal Declaration of Human Rights, sometimes used by the European Union to support its perspective, affirmed the right to life, a position also embraced by Jamaica, but did not in any part suggest that the death penalty was inconsistent with the right to life. The sponsors of the draft resolution were seeking to read words against the death penalty into the Universal Declaration, whereas at the time of its adoption, in 1948, the vast majority of countries in the world, including some sponsors of the current draft resolution, still retained the death penalty. It was not sufficient to say that conditions had changed or that the Declaration was a living document.

49. The International Covenant on Civil and Political Rights also affirmed the right to life, but very carefully avoided the suggestion that the death penalty was contrary to international law. The basic premise of its article 6, paragraph 2, was that the death penalty was compatible with international law provided it was carried out in keeping with certain conditions. The Second Optional Protocol to the Covenant, expressly aimed at the abolition of the death penalty, had been ratified by roughly 50 countries, or 25 per cent of the membership of the Organization. She did not understand why the General Assembly was promoting the idea that the wishes of that 25 per cent should prevail over the wishes of the remaining 75 per cent. With at least one half of the countries of the world retaining the death penalty, it was difficult to see how a general rule of customary international law against the death penalty could have been developed.

50. There were several moral and political arguments pertaining to human dignity, deterrence and the possibility of error which ensured that countries would not impose the death penalty in an arbitrary manner. Her Government had indicated that it was giving consideration to a vote in Parliament on whether that form of punishment should be continued. It was also

important to note that Jamaica had not implemented the death penalty since 1988.

51. Jamaica did not accept the right of other countries to impose their moral and political perspectives on it, just as it did not seek to impose its judgements on others when the matter clearly fell within the reserved domain of the State. It would therefore vote against the draft resolution contained in A/C.3/62/L.29. It supported various amendments to the draft resolution designed to show greater respect for individual State perspectives and self-determination.

52. **Ms. Booker** (Bahamas) said that her Government viewed the death penalty as a matter of national sovereignty and as being under domestic jurisdiction. It prided itself on its adherence to the principles of human rights and fundamental freedoms without distinction, as guaranteed in its Constitution and in accordance with international law. It was with deep regret, however, that the Bahamas would vote against the draft resolution as originally presented; it would support the proposed amendments.

53. **Mr. Attiya** (Egypt) said that respect of human dignity and the sanctity of life were highly revered in Islam and other religions, and the death penalty was restricted to the most serious crimes in Islamic jurisprudence. It could be imposed only within the due process of law.

54. Article 6 of the International Covenant on Civil and Political Rights underscored that every human being had the “inherent right to life”. However, it did not expressly prohibit capital punishment, stating that it could be imposed only for the most serious crimes, in accordance with the law in force at the time of the commission of the crime. The restriction on carrying out the sentence on pregnant women demonstrated respect for the “right to life” of the unborn child. The Islamic sharia also prohibited abortion except in rare circumstances, and it was for that reason Egypt had joined other delegations in presenting amendments (A/C.3/62/L.68-81) to the draft resolution under discussion.

55. Arguments put forward by a number of sponsors of draft resolution A/C.3/62/L.29 to the effect that General Assembly resolutions were only recommendations did not hold; General Assembly resolutions constituted international norms that, in time, became an integral part of international law. Adopting a resolution that dealt with such a

controversial issue, by only a small minority, would erode the credibility of the General Assembly’s role and cast further doubt on the legitimacy of the United Nations as a whole.

56. Draft resolution L.29 failed to take into account the great diversity of legal, social and economic settings in the world. The issue should have been addressed by the Human Rights Council in a comprehensive manner, examining the “right to life” from all aspects.

57. Some Member States had voluntarily decided to abolish the death penalty or introduce a moratorium, whereas others had retained it in their legislation. Both sides had chosen the path corresponding to their social, cultural and legal needs, in accordance with the International Covenant on Civil and Political Rights. Neither side was right or wrong, and neither side had the right to impose its standpoint on the other. The amendments submitted to the draft resolution were merely attempts to strike a balance and maintain respect for both standpoints.

58. **Ms. Zhang** (China) said that there was no international consensus on the abolition of the death penalty and that the General Assembly had already discussed it to no avail in 1994 and 1999. It was a highly complex criminal justice issue and a matter for sovereign States to decide within the purview of their national legislation. The International Covenant on Civil and Political Rights stipulated that the death penalty could be imposed for the most serious crimes, but did not ban it.

59. The General Assembly was not the proper forum to discuss such a divisive issue and could only serve to politicize it further. The sponsors of the draft resolution were trying to impose their views on others and not acting in a spirit of constructive dialogue.

60. **Mr. Khani Jooyabad** (Islamic Republic of Iran) said that more than 100 countries recognized that capital punishment was a deterrent and included it in their penal codes, believing that the right to life of victims was more important than that of a mass-murderer. States which had given up the death penalty, or introduced a moratorium, had no right to impose their views on others, especially since article 6 of the International Covenant on Civil and Political Rights did not make abolition of capital punishment an obligation. He requested the sponsors of draft resolution A/C.3/62/L.29 to withdraw it.

61. **Ms. Halabi** (Syrian Arab Republic) said that draft resolution L.29 constituted blatant interference by a group of States into the internal affairs of Member States, whose sovereignty was guaranteed under the Charter of the United Nations. Asking Member States to introduce a moratorium on the death penalty was tantamount to requesting them to change their judicial systems. Her Government applied capital punishment only for the most serious crimes, in accordance with article 6 of the Covenant. Those countries seeking to impose a moratorium on the death penalty put the rights of the accused before those of the victims, and her Government did not agree with that approach. Her delegation would vote against draft resolution A/C.3/62/L.29, and she called on all Member States to support the proposed amendments to that draft resolution.

62. **Mr. Hetanang** (Botswana) said that the first amendment to the draft resolution, which was contained in document A/C.3/62/L.68, referred directly to Article 2, paragraph 7, of the Charter of the United Nations, which clearly emphasized the principle of non-interference into the domestic jurisdiction of Member States. He hoped that the reference to the Charter would serve to protect small countries, such as his own, against undue interference from those which assumed that their political, cultural and legal systems were superior. Over time, the Charter had proven to be the only instrument to protect Member States, particularly developing countries.

63. The issue at stake was not the abolition of the death penalty or the imposition of a moratorium, but rather the need to frame the debate in accordance with the Charter of the United Nations. Failing to assert that principle would imply to the main sponsors of the draft resolution that they could disregard the provisions of the Charter, and were free to do what they wanted in the future. His country would vote in favour of the amendment.

64. **Mr. Menon** (Singapore) said that a group of countries, led by the European Union, had decided to introduce a draft resolution in an attempt to impose its views, knowing full well that the draft resolution in question would polarize the Third Committee. The amendments submitted (A/C.3/62/L.68-81) were attempts to inject a balance into what was clearly a one-sided view. The ultimate objective of draft resolution L.29 was not to impose a moratorium on the

use of the death penalty, but to abolish it altogether, as evidenced by paragraph 2 (c).

65. Many countries considered the death penalty to be a matter of criminal justice rather than a human rights issue, and imposed it only for the most serious crimes. Despite what many sponsors to the draft resolution claimed, the death penalty could not be considered a human rights violation because it was not banned under the Universal Declaration of Human Rights. At the time of its adoption, some 15 European countries still retained the death penalty on their statute books and obviously did not consider it to be a human rights issue. Even the International Covenant on Civil and Political Rights, in article 6, stated that the death penalty could be imposed for the most serious crimes. The countries of the European Union had changed their minds in the intervening years, on the grounds that they wanted to reflect current or shifting values, and wanted everyone to think as they did.

66. His delegation supported the amendment (A/C.3/62/L.68) introduced by Egypt, believing that it was relevant to refer to the Charter of the United Nations, which defended the sovereignty of the domestic jurisdiction of Member States.

67. **Mr. Makanga** (Gabon) said he wished to clarify that the draft resolution on the use of the death penalty was an interregional initiative and not the initiative of the European Union. His country was a sponsor of the draft resolution, and it was not a member of the European Union.

68. **Mr. Attiya** (Egypt) said that some States had abolished the death penalty or imposed a moratorium, whereas others maintained it. Both sides had chosen freely, acting in compliance with article 6 of the International Covenant on Civil and Political Rights, and neither had the right to impose their rights on the other. The amendment (A/C.3/62/L.68) was intended to improve the language of the draft resolution, allowing each Member State to decide on matters within its domestic jurisdiction, in accordance with Article 7 of the Charter of the United Nations.

*The meeting rose at 1 p.m.*